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BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA * * * * *

In The Matter of Charges and Complaint Against TUDOR C. JIANU, M.D.

Respondent.



COMPLAINT

The Investigative Committee of the Nevada State Board of Medical Examiners, composed of Charles N. Held, M.D., Theodore B. Berndt, M.D. and Ms. Valerie Clark, BSN, RHU, LUTCF, having a reasonable basis to believe that Tudor C. Jianu, M.D., hereinafter referred to as Dr. Jianu, has violated the provisions of NRS Chapter 630, hereby issues its formal Complaint, stating the Investigative Committee's charges and allegations, as follows:

1. Dr. Jianu is currently licensed in active status (License No. 8309), and was originally licensed on July 14, 1997 by the Nevada State Board of Medical Examiners pursuant to the provisions of Chapter 630 of the Nevada Revised Statutes.

Patient A was a fifty-four-year-old male at the time of the matter in question. His
 true identify is not disclosed to protect his privacy, but his identity is disclosed in the Patient
 Designation served on Dr. Jianu along with a copy of this Complaint.

3. Patient A presented to Dr. Jianu on August 2, 2007 upon referral from another
physician for evaluation of bilateral hand, neck, shoulder, hip, knee, ankle and foot pain which
began after a motor vehicle accident approximately one year prior to presentation. Patient A also
had experienced weight gain and was experiencing poor sleep, fatigue and feelings of depression.

4. Upon examination of Patient A, Dr. Jianu noted some arthralgia of the left shoulder
with pressure and recommended a steroid injection of the left shoulder consisting of lidocaine and
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2 After the risks were discussed with Patient A, he did agree to the injection.
3 5. Immediately after the injection of lidocaine and depomedrol in his left shoulder,
4 Patient A began having difficulty breathing, was coughing and sweating.

6. Dr. Jianu recognized Patient A was experiencing possible anaphylactic shock and paramedics were immediately called by Dr. Jianu's office; however Patient A did not receive any administration of epinephrine or oxygen from Dr. Jianu or his staff although both were available in Dr. Jianu's office.

depomedrol. Patient A noted that in the past he had felt spacey from an injection of novocaine.

7. Patient A was noted to be code blue at the time the paramedics arrived, however he was not receiving any respiratory efforts and was not being closely monitored. The paramedics immediately gave Patient A epinephrine, shocked him three times and had to intubate him. CPR was performed as Patient A was transported to Saint Rose Dominican Hospital- Siena Campus.

8. At the hospital, Patient A was also noted in the emergency department to be experiencing a code blue and resuscitation efforts were attempted for twenty minutes including multiple defibrillations and multiple epinephrine being given; however Patient A could not be resuscitated.

17 9. An autopsy was performed which indicated the cause of death was systemic18 anaphylaxis.

19 10. Dr. Jianu did prepare an electronic medical record for Patient A which was started
20 on August 2, 2007 at the time of Patient A's appointment, however the record indicates that it was
21 not electronically signed by Dr. Jianu until June 17, 2010.

Count I

11. NAC 630.040 defines malpractices as the failure of a physician, in treating a
patient, to use the reasonable care, skill, or knowledge ordinarily used under similar
circumstances.

26 12. NRS 630.301(4) provides that malpractice is grounds for initiating discipline
27 against a licensee.

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administer epinephrine, give oxygen or closely monitor Patient A until the paramedics arrived and 4 5 accordingly is in violation of NRS 630.301(4). 14. By reason of the foregoing, Dr. Jianu is subject to discipline by the Nevada State 6 7 Board of Medical Examiners as provided in NRS 630.352. 8 9 15. NRS 630.3062(1) provides failure to maintain timely, legible, accurate and 10 complete medical records relating to the diagnosis, treatment and care of a patient is grounds for initiating disciplinary action against a licensee. 11

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Dr. Jianu's chart note for Patient A, although began on August 2, 2007 was not 16. completed until June 2010; almost three years after initiating the note.

Dr. Jianu committed malpractice as defined by NAC 630.040 when he failed to use

the reasonable care skill, or knowledge ordinarily used under circumstances in his care of Patient

A after recognizing Patient A may have been suffering an anaphylactic reaction and failed to

Count II

17. Dr. Jianu's failure to maintain a complete and timely record for Patient A constitutes a violation of NRS 630.3065(1).

18. By reason of the foregoing, Dr. Jianu is subject to discipline by the Nevada State Board of Medical Examiners as provided in NRS 630.352.

WHEREFORE, the Investigative Committee prays:

1. 19 That the Nevada State Board of Medical Examiners give Dr. Jianu notice of the 20 charges herein against him and give him notice that he may file an answer to the Complaint herein 21 as set forth in Section 630.339 of the Nevada Revised Statutes within twenty (20) days of service of the Complaint. 22

2. 23 That the Nevada State Board of Medical Examiners set a time and place for a formal hearing after holding an Early Case Conference pursuant to NRS 630.339(3); 24

3. 25 That the Nevada State Board of Medical Examiners determine what sanctions it 26 determines to impose if it determines there has been a violation or violations of the Medical 27 Practice Act (Nevada Revised Statutes Chapter 630) committed by Dr. Jinau; and

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4. That the Nevada State Board of Medical Examiners make, issue and serve on 1 2 Dr. Jianu its findings of facts, conclusions of law and order, in writing, that includes the sanctions imposed; and 3 5. That the Nevada State Board of Medical Examiners take such other and further 4 action as may be just and proper in these premises. 5 DATED this _/ of March, 2011. 6 7 THE NEVADA STATE BOARD OF MEDICAL EXAMINERS 8 9 Eyn E. Beggs, Esq. 10 General Counsel and Attorney for the Investigative Committee 11 12 13 VERIFICATION 14 STATE OF NEVADA) : ss. 15 COUNTY OF DOUGLAS 16 CHARLES N. HELD, M.D., having been duly sworn, hereby deposes and states under 17 penalty of perjury that he is the Chairman of the Investigative Committee of the Nevada State 18 Board of Medical Examiners that authorized the complaint against the Respondent herein; that he 19 has read the foregoing Complaint; and that based upon information discovered in the course of the 20 investigation into a complaint against Respondent, he believes that the allegations and charges in 21 the foregoing Complaint against Respondent are true, accurate, and correct. 22 DATED this day of MARCH , 2011. 23 24 25 CHARLES N. HELD, M.D 26 27 28

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OFFICE OF THE GENERAL COUNSEL Nevada State Board of Medical Examiners 1105 Terminal Way #301 Reno, Nevada 89502 (775) 688-2559	1	CERTIFICATE OF MAILING I hereby certify that I am employed by Nevada State Board of Medical Examiners and	1
	3	that on 10 th day of March 2011; I served a file copy of the Complaint, Patient Designation &	
	4	Fingerprint Information by mailing via USPS certified return receipt mail to the following:	
	5 6	Tudor Jianu, M.D. 8420 S. Eastern Ave., #101	
	7	Las Vegas, NV 89123	
	8	Dated this 10 th day of March 2011.	
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	10 11	Angelia L. Donohoe	
	12	Legal Assistant	
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